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S E C R E T BERLIN 02785

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DISSEMINATION: GA

CHARGE: PROG

APPROVED: DCM:JMKOENIG

DRAFTED: GA:MKOUMANS

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TO RUEHC/SECSTATE WASHDC IMMEDIATE 5362

INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE PRIORITY

RUCNFRG/FRG COLLECTIVE PRIORITY

RUEAWJA/DEPT OF JUSTICE WASHDC PRIORITY

RUEAHL/DEPT OF HOMELAND SECURITY WASHDC PRIORITY

RUEATRS/DEPT OF TREASURY WASHDC PRIORITY

S E C R E T SECTION 01 OF 03 BERLIN 002785

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FOR NSC, DHS, STATE (S/CT AND EUR)

E.O. 12958: DECL: 09/18/2016

TAGS: [PTER](#) [PGOV](#) [PREL](#) [KHLs](#) [CVIS](#) [TBIO](#) [GM](#) [EU](#)

SUBJECT: U.S.-GERMAN COUNTERTERRORISM STRATEGY: SEIZING THE OPPORTUNITY TO ADVANCE OUR COOPERATION

REF: A. BERLIN 2058

[¶](#)B. BERLIN 2654

[¶](#)C. BERLIN 2303

[¶](#)D. BERLIN 1995

Classified By: DCM John M. Koenig for Reasons 1.4 (b) and (d)

[¶](#)1. (S) Summary. The discovery this summer of the plot to bomb German trains, coming on top of terrorists' plans in the UK to blow-up transatlantic flights, has created an opening for the German government to move on further counterterrorism initiatives. Interior Minister Schaeuble's trip to Washington September 25-26, followed by Germany's assumption of the EU and G-8 Presidencies January 1 offers opportunities for the U.S. to work with Germany to set out common priorities and achieve specific objectives. Interior Minister Schaeuble too wants to build on the solid cooperation that now exists in fighting terrorism and has told his staff he wants real progress in his upcoming visit. Improved terrorist information-sharing tops his list for steps to improve U.S./German collaboration. Besides boosting bilateral cooperation, we should use Schaeuble's visit and the upcoming German presidencies to set the stage for better coordination and progress on a range of G-8 and EU initiatives as Germany prepares to assume the twin

presidencies in January 2007. Specific areas Mission suggests we pursue as part of a strategy of working with Germany bilaterally and as a partner in building stronger cooperation within the G-8 and the EU are:

- Data exchange agreements
- Cooperation in fighting terrorists' use of the Internet
- Strengthened cooperation against bioterrorism
- Counterterrorism cooperation with Germany and a group of similar-minded countries in the EU by means of linking into what they agreed in the Pruem agreements. End Summary.

BILATERAL PROGRESS WITHIN REACH

¶2. (C) German Interior Minister Schaeuble's primary goal in Washington, according to his Diplomatic Advisor Lothar Freischlader, is expanding terrorist data exchange. British officials briefed Schaeuble in London August 16 on the role of U.S.-UK cooperation in preventing the airplane bomb plot. The briefing convinced Schaeuble that Germany has to deepen cooperation with the U.S., Freischlader said. Having the Minister in Washington and so favorably inclined is an opportunity not to be missed. The Embassy has consistently pushed for more information exchange (ref A) and visiting DHS Counselor Rosenzweig September 5 called sharing terrorist data DHS's first priority (ref B). While we have had good informal information exchanges with many German federal and state agencies, they are often based on professional relationships Mission personnel have built up over the years.

Up to now, the most forthcoming response we have had from German officials at the director-general level was a call for experts to meet; lower level staff sometimes rehash German concerns about data protection and pour cold water. U.S. officials should seek Schaeuble's commitment in Washington to agree to a systematic and robust exchange of terrorist watch-list data (HSPD-6). Experts may still need to meet on implementation details but Schaeuble should instruct his staff that they are to discuss how, not whether, to make information sharing possible.

¶3. (S) Post has also long sought the sharing of terrorists' fingerprint data (ref A). FBI Director Mueller raised this issue with Schaeuble's deputy, August Hanning, in Berlin September 19 (ref C). Senior MOI officials repeatedly tell us systematic fingerprint sharing presents more of a challenge, mostly due to German and EU rules and public concerns over data privacy. Regardless, given the persuasive power of the successful dismantling of the UK bomb plot, Schaeuble should hear whatever we can tell him about how fingerprint data sharing enabled victories in the war on terrorism. We should tell Schaeuble we are prepared to begin deeper information sharing with watchlist data, but the future of terrorism prevention depends on greater resort to biometrics.

GERMAN G-8 PRESIDENCY

¶4. (C) German officials repeatedly state they are not looking to launch a raft of new initiatives in their G-8 Presidency. Their general goal is to advance initiatives already launched and see that past commitments are met, but they named bioterrorism as one topic on which they would focus. Therefore there is an opportunity to work closely with Germany to ensure forward movement in ongoing G-8 efforts in defending against bioterrorism. One area on the counterterrorism front where German officials see need for an initiative, however, regards terrorists' use of the Internet.

The Germans, with the UK, France, and Russia, have previously put forward a proposal in the G-8 which Post understands raised constitutional/legal difficulties for the U.S.

¶ 15. (S) German officials tell us Schaeuble was struck by the role of the Internet in this summer's failed German train bombing plot. Internet sites radicalized the plotters and taught them how to make their suitcase bombs, German officials report. The German press reports Arabic-language Internet monitoring is a priority for Schaeuble's 50 million Euro budget increase for the domestic security service (BfV).

German officials told visiting S/CT Counterterrorism Coordinator Crumpton Sept. 6 Germany is aware of U.S. First Amendment concerns and is prepared to water down the proposal to satisfy U.S. and Canadian objections. The MFA's counterterrorism office Director Matthias Sonn added there would be no U.S. action required other than sharing "best practices." We may have other ideas we might pursue with Germany or how countries could work together to deal with the problems resulting from terrorists' use of international communications systems. We might also review past G-8 agreements/initiatives to see which need bird-dogging or fresh impetus during Germany's presidency.

GERMAN EU PRESIDENCY

¶ 16. (C) Likewise, Germany's record as a force for greater cooperation among EU members, and German officials' repeated statements that counterterrorism cooperation in the EU cannot be allowed to fall to the lowest common denominator, suggests opportunities under the German EU Presidency. German officials told Amb. Crumpton Germany will push for progress on the EU's 45-item action plan, but plans no major new EU counterterrorism initiatives. This again gives us the chance to influence German thinking by encouraging them to concentrate on those items most in the U.S. interest.

Minister Schaeuble, like his predecessor Otto Schily, has focused on deepening EU counterterrorism cooperation with those who are ready and willing. One example is the set of so-called Pruem agreements that envision nearly instantaneous law enforcement data sharing -- including biometrics -- between select EU partners. Germany's and Schaeuble's objective is clear and commendable, as long as other partners like the U.S. are not left out. Germany should be sensitive to U.S. concerns that EU initiatives, while laudably designed to tighten cooperation within the 25 member states, should not come at the cost of more complex sharing with the U.S. Schaeuble the transatlanticist should be particularly responsive to this U.S. concern. Post has transmitted the text of the Pruem agreements to Washington. We might look into the agreements to see whether there are aspects where it might be advantageous for the U.S. somehow to "join."

¶ 17. (C) Another subject we should raise more explicitly with German officials is the EU Third Pillar privacy directive, which the EU may take steps to implement during Germany's presidency. This is a key example of an EU initiative that has potential negative impact on current EU member state law enforcement and judicial information sharing with the U.S. It will be important to make the U.S. message clear not only in Brussels but with key member states and the German EU Presidency. Separately, Germany, along with a few other EU member states, has taken a special interest in further reform of the UN Security Council Resolution 1267 Al-Qaida Sanctions Committee, but Germany claims its proposals are not as objectionable to the U.S. as those of others. We should use German EU chairmanship and its chairing periodic U.S.-EU meetings to our advantage in this setting as well. There may also be an opportunity to use the German EU Presidency, given Germany's stance and efforts against the PKK, to give impetus to other key EU member states to similarly target PKK fundraising and logistical support.

OTHER ISSUES

¶ 18. (C) The areas listed above seem, from the viewpoint of Mission Germany, the items on which we should concentrate our efforts with the Germans through the first half of 2007.

There are other areas where German progress will be important in the international fight against terror, however, which we should continue to support/emphasize in our dealings with German officials and politicians. Germany is revising and expanding a number of counterterrorism laws (ref. D), which again shows Schaeuble's commitment to address the threat Germany faces and utilize the opening they feel they have at the moment with the public. German interlocutors have told us they want to work with us on other bilateral and multilateral efforts in 2007, i.e., joint biometric "registered traveler" program for Frankfurt airport, personnel exchanges between the U.S. National Counterterrorism Center NCTC and its German equivalent GTAZ, and greater dialogue between U.S. Department of Homeland Security and the German Interior Ministry on biometric travel documents. The Embassy will work these issues, but suggests Washington agencies may wish to consider the items listed in the paras above as the areas on which we should concrete our efforts.

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